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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	CR 14-00105 EMC
14)	
15 Plaintiff,)	NOTICE OF RETURN OF STOLEN
16 v.)	PROPERTY TO ITS REGISTERED OWNER;
17)	AND PROPOSED ORDER
18 DEMETRIUS JEFFERSON,)	
19)	
20 Defendant.)	
21)	

22 The United States of America, by and through the undersigned Assistant United States Attorney,
23 respectfully submits this Notice of the United States for the Return of Stolen Property to its Registered
24 Owner in the above-captioned case. In support thereof, the United States sets forth the following:

25 On February 27, 2014, defendant Demetrius Jefferson was charged by indictment with violation
26 of Title 18, United States Code, Section 922(g)(1) (Felon in Possession of Firearm and Ammunition).
27 The indictment also sought criminal forfeiture, pursuant to Title 18, United States Code, Section 924(d)
28 (Forfeiture of Firearm and Ammunition), of one .22 caliber Heritage Arms revolver, Model Rough
Rider, serial number J89454 ("the "subject firearm") and five rounds of .22 caliber Remington
ammunition.

MOTION TO RETURN PROPERTY
14-00105 EMC

1 When the serial number of the subject firearm was investigated, it was discovered that the
2 subject firearm had been stolen from its registered owner in April 2011.

3 On May 21, 2014, Demetrius Jefferson pled guilty to the sole count of the indictment. On
4 September 2, 2014, the Court Ordered a Preliminary Order of Forfeiture as to the subject firearm and
5 ammunition, forfeiting the defendant's interest in the subject firearm and ammunition.

6 On November 5, 2014, defendant was sentenced based upon guideline calculations that included
7 a two-level enhancement for defendant's possession of a stolen firearm pursuant to U.S.S.G. [section
8 symbol] 2K2.1(b)(4)(A). The judgment ordered that defendant forfeit any interest in the firearm and
9 ammunition. Because the subject firearm is worth less than \$1,000, it is exempt from publication
10 pursuant to 18 U.S.C. § 982(b)(6)(C) and Supplemental Rule G(4)(a)(i)(A) of the Federal Rules of Civil
11 Procedure.

12 Therefore, because the subject firearm is stolen property, and the Court has forfeited the
13 defendant's interest in the subject firearm, the United States respectfully submits that the subject firearm
14 be returned to its registered owner.

15
16 Dated: 12/04/14

Respectfully submitted,

17 MELINDA HAAG
18 United States Attorney

19 _____/S/_____
20 DAVID COUNTRYMAN
21 Assistant United States Attorney

22 **~~[PROPOSED]~~ ORDER**

23 Based upon the above Application, and for good cause appearing, the COURT HEREBY
24 ORDERS that the United States return the subject firearm to its registered owner.

25 IT IS SO ORDERED this 9th of December 2014.

26
27
28 EDWARD M. CHEN
United States District Judge

